

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:

Inventors: Jeffrey P. Demuth, et al.

Application No.: 10/508,932

Filed: September 24, 2004

Title: **METHOD AND COMPOSITIONS FOR  
DIAGNOSIS AND TREATMENT OF  
NON-SMALL CELL LUNG CANCER  
USING GENE EXPRESSION PROFILES**

Confirmation No.: 9878

Examiner: Carla J. Myers

Group Art Unit: 1634

Customer No. 21971

FILED ELECTRONICALLY ON: April 9, 2009

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111**

M/S Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

This communication is in response to the Office Action dated October 10, 2008. The shortened statutory period for response expires on January 10, 2009. The Response is submitted on April 9, 2009 after the shortened statutory period for reply, therefore a three month extension fee is required and is hereby requested to enter this Amendment.

Prior to reconsidering this application on the merits, please amend the application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

Applicants' **Remarks** begin on page 15 of this paper.